

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TONYE-D'MITRIA VICKERS-PEARSON,

Plaintiff,

-v.-

CITY OF NEW YORK, and CORRECTION  
OFFICER FRANKLIN BROWN,

Defendants.

18 Civ. 8610 (KPF)

ORDER

KATHERINE POLK FAILLA, United States District Judge:

The Court is in receipt of a letter motion from Defendants seeking a stay of this case for 90 days due to the COVID-19 pandemic. (Dkt. #70). Plaintiff has indicated that he consents to the stay. (*See id.*).

Defendants filed a motion for summary in this action on January 30, 2020. (*See* Dkt. #56-62). Plaintiff filed an opposition submission, which was received by the Court on May 4, 2020. (Dkt. #68). On May 5, 2020, the Court ordered Defendants to submit their reply by May 19, 2020. (Dkt. #69). Accordingly, Defendants have a partially briefed motion for summary judgment pending before the Court.

The Court appreciates that the ongoing COVID-19 pandemic has posed challenges for Defendants in filing their reply submission. The Court understands that it may pose undue burdens on Defendants to file their reply by May 19, 2020. At the same time, the Court finds that a 90-day stay is unduly long.

Accordingly, the Court hereby extends the time that Defendants have to file their reply submission until **June 26, 2020**. At that time, Defendants should submit their reply brief and provide the Court with a copy of the video footage of the relevant incident either in CD format or electronic file. Further, given the hardship it may pose at this time, Defendants are hereby excused from the Court's Individual Rule 4(D) requiring a courtesy copy of motion papers.

Defendants may notify the Court if they encounter further challenges in submitting the reply to their motion.

SO ORDERED.

Dated: May 14, 2020  
New York, New York



---

KATHERINE POLK FAILLA  
United States District Judge

*A copy of this Order was mailed by Chambers to:*

Tonye-D'mitria Vickers-Pearson  
NYSID: 09664066Q  
DIN: 17-R-3194  
Attica Correctional Facility  
639 Exchange Street  
P.O. Box 149  
Attica, NY 14011-149